

Appl. No. 09/964,303
Docket No. H1799-00075
Reply to Office Action of January 21, 2004

REMARKS/ARGUMENTS

As a result of this Amendment, claims 5-24 are under active consideration in the subject patent application.

In the Official Action, the Examiner has:

- (1) stated that Applicants' arguments with respect to claims 2 and 4-24 are persuasive and withdrawn the previous Office Action;
- (2) rejected claim 2 under 35 U.S.C. § 112, second paragraph;
- (3) rejected claims 2 and 4 under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 4,982,274, issued to Murase et al.;
- (4) objected to claims 5-16 as being dependent upon a rejected base claim, and indicating that claims 5-16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims; and
- (5) identified claims 17-24 as defining allowable subject matter.

With regard to Item 1, Applicants acknowledge the withdrawal of the Examiner's objections and rejections on the basis of arguments submitted by Applicants on November 28, 2003.

With regard to Items 2-4, Applicants have cancelled claims 1-4, and amended claims 5-9, 11, and 13-16. More particularly, claim 5 has been amended to include the subject matter defined by now cancelled independent claim 4. As acknowledged by the Examiner, claim 5 was allowable as filed, but required presentation in independent form for issuance of a patent grant and not

Appl. No. 09/964,303
Docket No. H1799-00075
Reply to Office Action of January 21, 2004

for reasons of patentability. Amended independent claim 5 is allowable for all of the reasons set forth by the Examiner in the Official Action. Claims 6-9, 11, and 13-16 have been amended to change their dependency from now cancelled claim 4 to allowable independent claim 5. Dependent claims 6-16 are now dependent directly from allowable claim 5, and are allowable at least through dependency.

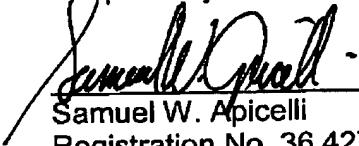
With regard to Item 5, Applicants acknowledge with appreciation the Examiner's determination that claims 17-24 are allowable over the prior art of record in the case.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

If a telephone conference would be of assistance in advancing prosecution of the above-identified application, Applicants' undersigned Attorney invites the Examiner to telephone him at 717-237-5516.

Date: April 20, 2004

Respectfully Submitted,



Samuel W. Apicelli
Registration No. 36,427
Customer No. 000041396
DUANE MORRIS LLP
305 North Front Street
P.O. Box 1003
Harrisburg, PA 17108-1003
(717) 237-5516
swapicelli@duanemorris.com

HBG\126795.1